IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

MONDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN.

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 2 6 1 8 6 of 2007

Between:

M/s. Mega Town High School … Petitioner

Versus

Employees Provident Fund
Organisation … Respondent

Counsel for the Petitioner: SRI M. A. BARI

Counsel for the Respondents: SRI RN REDDY

THE HON'BLE MR. JUSTICE P.S. NARAYANA

WRIT PETITION NO. 26186 OF 2007

ORDER:

Heard both the counsel.

The writ petition is filed for a writ of mandamus, holding the action of the respondent in rejecting the petition to set aside the ex-parte order no. AP47818/ENF.1/5/7/Z-18/2007/705, dated 31-8-2007, as arbitrary, vindictive and wit6hout any enquiry, against the provisions of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, illegal and against the principles of natural justice and violative of Article 14, 19 and 21 of the Constitution of India and to quash the impugned order of the respondent in No.AP/47818/BN:1249660001/RO/HYD/E/NF/C-1/T/7/2007/1474 dated 05-11-2007 and consequently to set aside the ex-parte order No. AP/478888818 ENF.1/T/7/2-18/2007/705, dated 31-8-2007 by providing an opportunity to the petitioner to participate the enquiry and produce the records for proper adjudication and to pass such other suitable orders as this Court may deems fit and proper in the circumstances of the case.

2. Several facts had been narrated in the affidavit filed in support

of the writ petition.

3. Several of the aspects, which had been averred in the affidavit filed in support of the writ petition appear to be factual controversies.

4. The main grievance of the writ petitioner is that virtually it is an ex-parte order and no reasonable opportunity had been given. Even other wise, as against the order made since the petitioner is having a remedy by way of appeal. Let the writ petitioner invoke the appellate remedy within a period of four weeks and till then ***statusquo*** obtaining as on today to be maintained.

5. The writ petition is disposed of at the stage of admission. No costs.

JUSTICE P . S . NARAYANA .

10 /12/2007.

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